

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

FILED

2023 MAR 27 P 12:56

UNITED STATES OF AMERICA

v.

CONOR BRIAN FITZPATRICK,

Defendant.

No. 1:23-mj-67

CONSENT MOTION TO EXTEND TIME FOR INDICTMENT

The United States of America, through undersigned counsel, with the express consent of the defendant, and the defendant's counsel, respectfully moves the Court to extend the time to indict this case through and including May 15, 2023. In support thereof, the parties state as follows:

1. The defendant was arrested on a federal charge on March 15, 2023. The defendant made his initial appearance in the Southern District of New York on March 15, 2023. The defendant was released on conditions and ordered to appear in the Eastern District of Virginia on March 24, 2023. On March 24, 2023, the defendant made his initial appearance in the Eastern District of Virginia and was continued on conditions of release.

2. The Speedy Trial Act requires that the defendant be indicted within thirty days of the defendant's arrest after subtracting all excludable time. The indictment deadline is April 15, 2023. The parties jointly request an extension of approximately 30 days for an extension of the time to indict. Extending this time period for approximately 30 days would be in the best interests of justice in that it would give the defense counsel an opportunity to meet with the

defendant, to review discovery, and to discuss a possible pre-indictment plea resolution of the case.

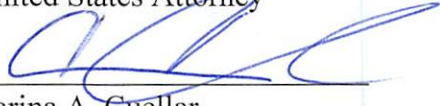
3. The defendant hereby agrees to waive any objections under the Speedy Trial Act and to extend the government's time to file an indictment in this case through and including May 15, 2023. The waiver is made knowingly, intentionally, and voluntarily by the defendant, and with full knowledge of the provisions of the Speedy Trial Act, Title 18, United States Code, Sections 3161, *et seq.*, and with the advice and consent of counsel.

4. The defendant expressly understands that his waiver is not predicated upon any promises, agreements, or understandings of any kind between the government and the defense in this case, and that nothing contained herein shall be construed to preclude the government from proceeding against the defendant during or after the time period covered by this waiver.

WHEREFORE, the parties request that the time to indict this case be extended to and including May 15, 2023, and that the delay resulting from this extension be excluded in computing the time within which an indictment must be filed pursuant to Title 18, United States Code, Section 3161(h).

Respectfully submitted,

Jessica D. Aber
United States Attorney


Carina A. Cuellar
Assistant United States Attorney

Defendant's Signature: I hereby agree that I have consulted with my attorney and fully understand all my rights with respect to a speedy trial, including my right to be charged by indictment within 30 days of arrest, after subtracting all excludable time, as required by Title 18, United States Code, Section 3161(b). I have read this motion for an extension of time to be charged by indictment, and carefully reviewed every part of it with my attorney. I understand this motion and voluntarily agree to it.

Date: 3/24/23

Conor Fitzpatrick
Conor Brian Fitzpatrick
Defendant

Defense Counsel Signature: I am counsel for the defendant in this case. I have fully explained to the defendant the defendant's right to be charged by indictment within 30 days of arrest. Specifically, I have reviewed the terms and conditions of Title 18, United States Code, Section 3161(b), and I have fully explained to the defendant the provisions that may apply in this case. To my knowledge, the defendant's decision to agree to an extension of time to be charged by indictment is an informed and voluntary one.

Date: 3/24/23

Peter Katz, Esq.
Peter Katz, Esq.
Counsel for the Defendant

Date: 3/24/23

Nina Ginsberg, Esq.
Nina Ginsberg, Esq.
Counsel for the Defendant